

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In re: : Invol. Chapter 7
PRIME CAPITAL VENTURES, LLC :
: Case No. 23-11302 (REL)
: Former Alleged Debtor. :

**FIRST AND FINAL APPLICATION OF CHRISTIAN H. DRIBUSCH, ESQ.
FOR ALLOWANCE OF COMPENSATION AND REIMBURSEMENT OF EXPENSES**

TO THE HONORABLE ROBERT E. LITTLEFIELD, JR.
UNITED STATES BANKRUPTCY JUDGE:

Christian H. Dribusch, Esq. (“Dribusch Firm”), counsel to the interim trustee, as and for a first and final application (“Application”) for entry of an order pursuant to 11 U.S.C. §§ 330 and 331, Federal Rule of Bankruptcy Procedure 2016, and the Local Bankruptcy Rules allowing compensation for services rendered and reimbursement of expenses respectfully represents as follows:

JURISDICTION AND VENUE

1. This Court has jurisdiction over this case and this Application pursuant to 28 U.S.C. §§ 157 and 1334. Venue of this case and this Application is proper in this district pursuant to 28 U.S.C. §§ 1408 and 1409. The statutory predicates for the relief sought herein are 11 U.S.C. (“Bankruptcy Code”) §§ 330 and 331, Federal Rule of Bankruptcy Procedure 2016, and the Local Bankruptcy Rules.

PROCEDURAL BACKGROUND

2. On December 19, 2023, petitioning creditors filed an involuntary petition under Chapter 7 of the Bankruptcy Code against Prime Capital Ventures, LLC. Pursuant to Bankruptcy

Court Order, Christian H. Dribusch was appointed interim trustee (“Trustee”) pursuant to Sections 303 and 701 of the Bankruptcy Code.

3. By Order dated January 19, 2024, this Court approved the retention of the Dribusch Firm as counsel to the Trustee. A copy of the order approving the retention of the Dribusch Firm is located under Electronic Court Record (ECF #111).

RELIEF REQUESTED

4. By this Application, the Dribusch Firm seeks a first and final allowance of compensation for legal services rendered as counsel to the Trustee for the period December 22, 2023, through January 10, 2024 (“Compensation Period”) in the amount of \$39,567.50 and reimbursement of expenses in the amount of \$23.88.

5. This is the Dribusch Firm’s first and final application for allowance of fees in connection with its representation of the Trustee as counsel. All the services for which compensation is sought herein were rendered for and on behalf of the Trustee and not on behalf of any other person or entity. The Dribusch Firm respectfully submits that the services rendered were necessary and appropriate and have contributed to the effective administration of this case.

6. The fees sought herein relate exclusively to legal work performed and not to the performance of Trustee functions.¹

THE BASIS FOR COMPENSATION

7. Written records of time spent by the Dribusch Firm on behalf of the Trustee (“Time Records”) are annexed as Exhibit “A”.

¹ Trustee understands that since the case has been dismissed the Trustee has no mechanism to be compensated for the significant amount of Trustee time expended on trustee duties which are not included in this fee application.

SUMMARY OF SERVICES RENDERED

8. In this case, the Trustee was appointed interim trustee in the involuntary proceedings of Prime Capital Ventures, LLC. The involuntary proceeding was dismissed on January 9, 2024. This Court retained jurisdiction to determine the amount and method for payment of the interim trustee counsel.

9. The tasks performed by the Dribusch Firm include as follows:

(a) Preparation of retention application, affidavit, and order for the Dribusch Law Firm as counsel to Trustee.

(b) Extensive legal due diligence in obtaining information from Prime Capital Ventures, LLC management and third parties to ascertain the existence and securing assets of Prime Capital Ventures, LLC during the pendency of the involuntary proceeding.

(c) Legal review of loans and other transactional documents to ascertain the issues in authorizing Prime Capital Ventures, LLC to proceed with closing transactions in the ordinary course of business.

(d) Attendance at numerous Bankruptcy Court hearings.

(e) Preparation of order to obtain disclosure of information from Berone Capital and affiliated parties pertaining to funds of Prime Capital Ventures, LLC.

(f) Communications with parties regarding ICA deposits, jurisdiction of the Bankruptcy Court, and other legal issues relevant to accounting for and securing assets of Prime Capital Ventures, LLC.

(g) Preparation of Dribusch Firm fee application.

10. Reference is made to the Time Records of the Dribusch Firm for a detailed description of work performed during the Compensation Period.

THE APPLICATION SHOULD BE GRANTED

11. The Dribusch Firm respectfully submits that an examination of the specific services rendered on behalf of the Trustee based on the applicable statutory provisions and case law demonstrates that this Application should be granted.

Legal Services

12. Pursuant to section 330 of the Bankruptcy Code, after notice and a hearing the Bankruptcy Court may award a professional person employed under section 327 “(A) reasonable compensation for actual, necessary services rendered by the . . . attorney and by any paraprofessional person employed by any such [attorney]; and (B) reimbursement for actual, necessary expenses.” 11 U.S.C. § 330(a)(1)(A) and (B). The statute further provides that “[i]n determining the amount of reasonable compensation to be awarded, the court shall consider the nature, the extent, and the value of such services, considering all relevant factors, including:

- (A) the time spent on such services.
- (B) the rates charged for such services.
- (C) whether such services were necessary to the administration of, or beneficial at the time at which the service was rendered towards the completion of, a case under this title.
- (D) whether the services were performed within a reasonable amount of time commensurate with the complexity, importance and nature of the problem, issue or task addressed.
- (E) whether the compensation is reasonable based on the customary compensation charged by comparably skilled practitioners in cases other than cases under this title.”

11 U.S.C. § 330(a)(3).

13. To determine whether an allowance of compensation and reimbursement of expenses is warranted under sections 330 and 331 of the Bankruptcy Code, the Court must inquire into the following three general areas:

- (a) Are the services that are the subject of the [A]pplication properly compensable as legal services?
- (b) If so, were they necessary and is the performance of necessary tasks adequately documented?
- (c) If so, how will they be valued? Were the necessary tasks performed within a reasonable amount of time and what is the reasonable value of that time?

In re Navis Realty, Inc., 126 B.R. 137, 140 (Bankr. E.D.N.Y. 1991)(citing In re Wildman, 72 B.R. 700, 704-05 (Bankr. N.D. Ill. 1987) and In re Shades of Beauty, Inc., 56 B.R. 946 (Bankr. E.D.N.Y. 1986), aff'd, 95 B.R. 17 (E.D.N.Y. 1988)). See also In re Poseidon Pools of America, 216 B.R. 98, 100 (E.D.N.Y. 1997) (affirming lower court and holding Bankruptcy Judge properly examined time entries to determine “(1) whether the services were adequately documented and (2) whether they were actual and necessary.”).

Properly Compensable Legal Services

14. The services rendered by the Dribusch Firm, as outlined above, are legal services and are properly compensable as such. In making this determination, “the threshold question should be whether the services performed were those which one not licensed to practice law could properly perform for another for compensation.” In re Shades of Beauty, 56 B.R. at 949 (citing In re Meade Land & Development Co., Inc., 527 F.2d 280, 284-85 (3d Cir. 1975)).

15. As described more fully above, the Dribusch Firm performed legal services only. Separately, the Trustee performed services that are not included in this Application. The services

for which the Dribusch Firm does seek compensation “are not those generally performed by a trustee without the assistance of an attorney.” In re Minton Group, Inc., 33 B.R. 38, 40 (Bankr. S.D.N.Y. 1983).

Necessary And Actual Services

16. The legal services performed by the Dribusch Firm were also “actual” and “necessary” within the meaning of section 330(a)(1) of the Bankruptcy Code. See 11 U.S.C. 330(a)(1) (“[T]he court may award to a . . . professional person . . . (A) reasonable compensation for actual, necessary services rendered . . .”); see also In re Wildman, 72 B.R. at 707-08 (“The primary objective of any fee petition is to reveal sufficient data to enable the Court to determine whether the services rendered were . . . actual and necessary.”). As the detailed Time Records indicate, the Dribusch Firm “actually” performed the legal services for which it is now seeking compensation. See In re Wildman, 72 B.R. at 707; In re Shades of Beauty, 56 B.R. at 950.

17. It is incumbent on the attorney seeking compensation to prove the necessity of his or her services by addressing such issues as (1) the cost of the legal services in relation to the size of the estate and maximum probable recovery; (2) the extent the estate will suffer if the services are not rendered; and (3) the extent the estate may benefit if the services are rendered and the likelihood of the disputed issues being resolved successfully. See In re Wildman, 72 B.R. at 707; In re Shades of Beauty, 56 B.R. at 950.

18. All the services performed by the Dribusch Firm were necessary and beneficial to the estate. The Dribusch Firm obtained substantial information and secured assets during the interim gap period of the involuntary bankruptcy petition.

19. Based on the above, as well as the detailed Time Records, the Dribusch Firm respectfully submits that it has adequately explained “how” and “why” its legal services on behalf

of the Trustee were rendered, In re Shades of Beauty, 56 B.R. at 950, and that such services were actual and necessary. See also Fed. R. Bankr. P. 2016.

Value of Services/Extent of Compensation

20. In addition to the value of the legal services, as set forth above, the Dribusch Firm provided the Trustee with effective and competent representation at a reasonable cost. In determining the value of legal services and the extent of compensation, this Court should consider whether the tasks were performed within a reasonable number of hours; whether the requested hourly rate was reasonable; and the cost of comparable services other than in a case under the Bankruptcy Code. See In re Wiedau's, Inc., 78 B.R. 904, 909 (Bankr. S.D. Ill. 1987); In re Shades of Beauty, Inc., 56 B.R. at 951; In re Wildman, 72 B.R. at 700-01. Legal services for which a firm seeks compensation should be judged by a "standard of economy" which rewards attorneys for "efficiency." In re Shades of Beauty, Inc., 56 B.R. at 51-52. The Dribusch Firm submits that the requested compensation is based on the customary compensation charged by comparably skilled practitioners in cases other than cases under title 11.

21. Based on all these factors, the Dribusch Firm respectfully submits that the compensation sought is reasonable. See In re Wiedau's, Inc., 78 B.R. at 909 (holding the "reasonableness" of the number of hours and the hourly rate requires consideration of such factors as: the time and labor required; the skill necessary to properly perform the services; the preclusion of other employment by the attorney due to the case; time limitations imposed by circumstances; and the experience, reputation and ability of the attorney)(citing Johnson v. Georgia Highway Express, Inc., 488 F.2d 714, 717-719 (5th Cir. 1974) and In re Wildman, 72 B.R. at 712). See also In re Shades of Beauty, 56 B.R. at 951.

Reimbursement of Expenses

22. The Dribusch Firm also seeks reimbursement of expenses in the amount of \$23.88 as set forth on Exhibit A. These expenses represent actual out of pocket disbursements for this involuntary case and fall within all applicable guidelines.

NO PRIOR APPLICATION

23. No prior application for the relief requested herein has been made to this or any other Court and the Dribusch Firm has received no payment on account of the legal services rendered.

24. No agreement or understanding exists between the Dribusch Firm and any other person for the sharing of any compensation to be received for professional services rendered or to be rendered in connection with this case.

CONCLUSION

WHEREFORE, the Dribusch Firm requests entry of an order:

- (A) approving the allowance of \$39,567.50 for compensation for legal services.
rendered during the Compensation Period.
- (B) approving reimbursement of expenses in the amount of \$23.88.
- (C) granting such other and further relief as this Court may deem just and proper.

Dated: Albany, New York
January 24, 2024

THE DRIBUSCH LAW FIRM
Attorneys for Christian Dribusch,
Interim Chapter 7 Trustee, Involuntary Case

By: /s/ Christian H. Dribusch
Christian H. Dribusch

187 Wolf Road
Albany, New York 12205
Telephone: (518) 227-0026

EXHIBIT A
TO
COUNSEL FOR INTERIM
TRUSTEE
FIRST AND FINAL
FEE APPLICATION

THE DRIBUSCH LAW FIRM

**187 WOLF RD STE 300-20
ALBANY, NY 12205-1138
(518) 227-0026**

Invoice #1093

Invoice Date: 01/23/2024

BILL TO:

Interim Trustee for Prime Capital Ventures, LLC

cdribusch@chd-law.com

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
1	12/22/2023	Attorney Note: Receipt and review of Order on Motion to Appoint Interim Trustee (12/22/2023)	Christian H. Dribusch	0.2	\$425.00	\$85.00
2	12/22/2023	Attorney Note: Discuss involuntary bankruptcy legal issues with Prime Capital Venture counsel including bona fide dispute of petitioning creditors and appropriate reading of ICA agreement terms (12/22/2023)	Christian H. Dribusch	0.5	\$425.00	\$212.50
3	12/22/2023	Attorney Note: Communication with counsel for petitioning creditors re: creditor fact/legal issue priorities (12/22/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
4	12/22/2023	Attorney Note: Review petitioning creditors motion to appoint interim Chapter 7 Trustee (12/22/2023)	Christian H. Dribusch	1.2	\$425.00	\$510.00
5	12/22/2023	Attorney Note: Confirmation with Prime Capital Venture counsel that Court's Order Directing Appointment was received by Prime Capital, Kris Roglieri, and Kimberly Humphrey. (12/22/2023)	Christian H. Dribusch	0.2	\$425.00	\$85.00
6	12/22/2023	Attorney Note: Receipt and review of Prime Capital Venture account information from creditors. (12/22/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
7	12/22/2023	Attorney Note: Review documents filed in the case. Due diligence background work relating to Prime Capital Ventures, LLC (12/22/2023)	Christian H. Dribusch	2.4	\$425.00	\$1,020.00

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
8	12/22/2023	Attorney Note: Communications with Prime Capital Ventures attorneys regarding operational issues / proposed budget / source of funding for proposed closings. (12/22/2023)	Christian H. Dribusch	0.6	\$425.00	\$255.00
9	12/22/2023	Attorney Note: Receipt and review of Prime Capital Ventures transaction closing pipeline and status including receipt and location of ICA payments. (12/22/2023)	Christian H. Dribusch	0.7	\$425.00	\$297.50
10	12/22/2023	Attorney Note: Communication with petitioning creditors counsel re: accounting of ICA payments (12/22 /2023)	Christian H. Dribusch	0.2	\$425.00	\$85.00
11	12/22/2023	Attorney Note: Communication from Prime Capital Ventures, LLC counsel re: availability of information and confirm ability to access premises. Affirm interim trustee requirement to secure books and records. (12/22/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
12	12/23/2023	Attorney Note: Listen to Court hearing re: appointment of interim trustee (12/23 /2023)	Christian H. Dribusch	2.6	\$425.00	\$1,105.00
13	12/23/2023	Attorney Note: Teams meeting with Debtor counsel and Kimberly Humphrey discuss operational issues and access to premises. Discussed duty of interim trustee to access premises and to secure books and records. (12/23/2023)	Christian H. Dribusch	0.7	\$425.00	\$297.50
14	12/23/2023	Attorney Note: Communications with petitioning creditors counsel re: lines of inquiry concerning the Prime Capital Ventures operations. (12/23/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
15	12/24/2023	Attorney Note: Analyze the Development Line of Credit Agreements, focusing on ICA payment and duty to segregate. (12/24/2023)	Christian H. Dribusch	2.9	\$425.00	\$1,232.50
16	12/24/2023	Attorney Note: Review First Amended Complaint of Prime against Reign Financial and other related documents. Due diligence on source of investment in Reign. (12/24/2023)	Christian H. Dribusch	1.4	\$425.00	\$595.00
17	12/24/2023	Attorney Note: Respond to legal inquiry regarding requirement of bond and impact on the appointment of interim Trustee. (12/24/2023)	Christian H. Dribusch	0.5	\$425.00	\$212.50

BILLABLE ITEMS

Date	Item Details	Performed By	Qty.	Rate	Amount
18 12/25/2023	Attorney Note: Receipt and review of information update from Prime Capital Ventures Counsel. Review legal position concerning Bond requirement. (12/25/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
19 12/25/2023	Attorney Note: Receipt and review of Cin-Compass counsel concerns of Berone Capital disclosures potential operational issues for Berone Capital. (12/25/2023)	Christian H. Dribusch	0.1	\$425.00	\$42.50
20 12/26/2023	Parking		1	\$2.65	\$2.65
21 12/26/2023	Attorney Note: Legal research on authority of interim trustee in involuntary case. Circulate analysis of 11 U.S.C. 701 vesting of management authority to parties in interest (e.g., In the matter of CW Mining LLC) (12/26/2023)	Christian H. Dribusch	1.5	\$425.00	\$637.50
22 12/26/2023	Attorney Note: Receipt and review of Cin-Compass counsel analysis on Trustee authority and involuntary case disputes (12/26/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
23 12/26/2023	Attorney Note: Receipt and review of Prime Capital Venture counsel letter to Court outlining funds and legal issues (12/26/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
24 12/26/2023	Attorney Note: Communications with attorneys for multitude of creditors and Prime Capital Venture transactional counsel regarding flow of information during pendency of proceeding (12/26/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
25 12/26/2023	Attorney Note: Receipt and review of Prime Capital Venture counsel communications to third parties pertaining to difficulty in closing transactions during pendency of proceeding. (12/26/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
26 12/26/2023	Attorney Note: Communications from multiple third parties regarding legal requirements for completion of pending transactions. (12/26/2023)	Christian H. Dribusch	0.9	\$425.00	\$382.50
27 12/26/2023	Attorney Note: Prepare for and attend Court hearing. Confirm desire to access premises and books and records (12/26/2023)	Christian H. Dribusch	2	\$425.00	\$850.00

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
28	12/27/2023	Attorney Note: Communications with Prime transactional counsel pertaining to securing assets (e.g., documents) and other communications (12/27/2023)	Christian H. Dribusch	0.5	\$425.00	\$212.50
29	12/27/2023	Attorney Note: Due diligence with many parties to obtain information and drafting letters and emails to various financial institutions articulating legal authority for interim trustee seeking to secure financial accounts pending resolution of involuntary bankruptcy proceeding. (12/27/2023)	Christian H. Dribusch	3.4	\$425.00	\$1,445.00
30	12/27/2023	Attorney Note: Conference call with Prime Capital Venture counsel. Communications with other parties who appear to have concerns with regard to legal status of ICA funds held with Prime Capital Venture (12/27/2023)	Christian H. Dribusch	1.5	\$425.00	\$637.50
31	12/27/2023	Attorney Note: Receipt and review of voluntary dismissals of District Court lawsuits. Query impact on petitioning creditors legal status in bankruptcy proceeding. (12/27/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
32	12/27/2023	Attorney Note: Communications with RBC counsel's office on due diligence and securing accounts. (12/27/2023)	Christian H. Dribusch	1.4	\$425.00	\$595.00
33	12/28/2023	Parking		1	\$5.49	\$5.49
34	12/28/2023	Attorney Note: Conference call counsel for ER Tennessee to discuss segregated funds issue (12/28/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
35	12/28/2023	Attorney Note: Follow up with Prime Capital Venture transactional counsel re: title company information which may have relevance to source of funding transactions. (12/28/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
36	12/28/2023	Attorney Note: Update on petitioning creditors legal analysis and position (12/28/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
37	12/28/2023	Attorney Note: Due diligence with counsel's office of RBC Wealth Managment (12/28/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
38	12/28/2023	Attorney Note: Due diligence communications with counsel's office for RBC clearing regarding existence of funds and concerns about Berone / Prime account statement (12/28/2023)	Christian H. Dribusch	1.1	\$425.00	\$467.50

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
39	12/28/2023	Attorney Note: Receipt and review of legal analysis from counsel for B&R Acquisition Partners, LLC (12/28/2023)	Christian H. Dribusch	0.5	\$425.00	\$212.50
40	12/28/2023	Attorney Note: Receipt of petitioning creditor letter on 11 U.S.C. 303 analysis (12/28/2023)	Christian H. Dribusch	0.3	\$425.00	\$127.50
41	12/28/2023	Attorney Note: (2) Court appearances (1.5) and (1.9) on Prime Capital Ventures (12/28/2023)	Christian H. Dribusch	3.3	\$425.00	\$1,402.50
42	12/28/2023	Attorney Note: Meeting with counsel for AUST and petitioning creditors regarding scope of interview (examination) of Kris Roglieri concerning case status. (12/28/2023)	Christian H. Dribusch	1.2	\$425.00	\$510.00
43	12/29/2023	Attorney Note: Securing assets with financial institutions and requesting compliance with 11 U.S.C. 543 duties. (12/29/2023)	Christian H. Dribusch	3.3	\$425.00	\$1,402.50
44	12/29/2023	Attorney Note: Conference AUST regarding legal issues impacting (impeding) case administration. (12/29/2023)	Christian H. Dribusch	0.4	\$425.00	\$170.00
45	12/30/2023	Attorney Note: Communications with parties in interest regarding legal status of involuntary proceedings (e.g., issues to resolve relative to adjudication of petitioning creditors). (12/30/2023)	Christian H. Dribusch	1.2	\$425.00	\$510.00
46	01/01/2024	Attorney Note: Communicate legal position concerning division of authorities after interim appointment under 11 U.S.C. 701 (interim trustee is trustee for purposes of Chapter 7) (01/01/2024)	Christian H. Dribusch	1.9	\$425.00	\$807.50
47	01/01/2024	Attorney Note: Receipt and review of Prime Capital Venture management presentation of due diligence information. (01/01/2024)	Christian H. Dribusch	2.3	\$425.00	\$977.50
48	01/01/2024	Attorney Note: Legal research on confidentiality under 11 U.S.C. 704(a)(7) describing interim trustee duty unless otherwise ordered by Court. Review Orders to determine existence of confidentiality limitations by the Bankruptcy Court. (01/01/2024)	Christian H. Dribusch	1.2	\$425.00	\$510.00
49	01/02/2024	Parking		1	\$1.74	\$1.74
50	01/02/2024	Parking		1	\$3.55	\$3.55

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
51	01/02/2024	Attorney Note: Draft, circulate, and revise proposed Order regarding disclosures by third parties (e.g., Royal Bank of Canada and Berone Capital). (01/02/2024)	Christian H. Dribusch	1.7	\$425.00	\$722.50
52	01/02/2024	Attorney Note: Prepare for and attend Court hearings on Prime Capital Venture. Reaffirm interim trustee desire for access to office, books, and records. (01/02/2024)	Christian H. Dribusch	2.8	\$425.00	\$1,190.00
53	01/03/2024	Attorney Note: Draft, circulate, revise, and file proposed Order re: Berone disclosures including the approximately \$52M allegedly held for the benefit of Prime Capital Ventures at RBC. (01/03/2024)	Christian H. Dribusch	1	\$425.00	\$425.00
54	01/03/2024	Attorney Note: Receipt, review and discuss due diligence information from Farmers State Bank. Issue about Farmer State Bank "slow walk" production of statements from account opening in September. What happened to wire of \$6M from RBC account supposedly holding ER Tennessee funds? (01/03/2024)	Christian H. Dribusch	0.4	\$425.00	\$170.00
55	01/03/2024	Attorney Note: Letter setting forth Trustee position on various outstanding issues pertaining to Prime Capital Ventures pre-petition management. (01/03/2024)	Christian H. Dribusch	1.3	\$425.00	\$552.50
56	01/03/2024	Attorney Note: Follow up with KeyBank legal counsel regarding Prime Capital Venture accounts. (01/03/2024)	Christian H. Dribusch	0.6	\$425.00	\$255.00
57	01/03/2024	Attorney Note: Review due diligence documents and draft request to Prime Capital Venture management regarding status of ICA funds and existing/closed transactions. (01/03/2024)	Christian H. Dribusch	1.9	\$425.00	\$807.50
58	01/03/2024	Attorney Note: Receipt and review of petitioning creditors letter on Order to Show Cause (01/03/2024)	Christian H. Dribusch	0.1	\$425.00	\$42.50
59	01/04/2024	Parking		1	\$3.55	\$3.55

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
60	01/04/2024	Attorney Note: Receipt and review of due diligence materials from counsel's office for Royal Bank of Canada (including RBC Wealth Management). Discuss how RBC implements back office support for broker-dealer. Discuss how Berone statement not the type of document issued by RBC. (01/04/2024)	Christian H. Dribusch	1.8	\$425.00	\$765.00
61	01/04/2024	Attorney Note: Legal analysis of Prime Capital Venture management authority to interpose an answer to the involuntary petition (e.g., to whom do fiduciary duties run when a debtor is in the zone of insolvency). Is Prime Capital Venture breaching duty to unsecured creditors in contesting Chapter 7 adjudication. (01/04/2024)	Christian H. Dribusch	1.9	\$425.00	\$807.50
62	01/04/2024	Attorney Note: Prepare for and attend Court hearing on Prime Capital Ventures. Reaffirm interim trustee need to access office, books, and records. (01/04/2024)	Christian H. Dribusch	2.1	\$425.00	\$892.50
63	01/05/2024	Attorney Note: Receipt and legal review of materials in response to January 3, 2024 interim trustee request from Prime Capital Venture management. Follow up on open matters and inquiries (e.g., affidavits of explanation). (01/05/2024)	Christian H. Dribusch	0.8	\$425.00	\$340.00
64	01/05/2024	Attorney Note: Communications with third parties regarding requirement of understanding source of funding on future transactions. (01/05/2024)	Christian H. Dribusch	1.1	\$425.00	\$467.50
65	01/05/2024	Attorney Note: Communications with Prime Capital Venture counsel re: document production list requirements of Prime Capital Venture management to comply with interim trustee letter request. (01/05/2024)	Christian H. Dribusch	1.2	\$425.00	\$510.00
66	01/05/2024	Attorney Note: Receipt and review of answer to Involuntary Petition filed by Prime Capital Ventures pre-petition management (01/05/2024)	Christian H. Dribusch	0.4	\$425.00	\$170.00

BILLABLE ITEMS

Date	Item Details	Performed By	Qty.	Rate	Amount
67 01/05/2024	Attorney Note: Receipt and review of declaration from Kimberly Humphrey pertaining to Prime Capital Venture document production. Review legal authority on how to handle production of management curated information by Prime Capital Ventures which leave substantial blanks on salient information needed to understand financial affairs. (01/05/2024)	Christian H. Dribusch	0.9	\$425.00	\$382.50
68 01/05/2024	Attorney Note: Receipt and review of petitioning creditors letter regarding discovery and expedited hearing on petition for involuntary. (01/05/2024)	Christian H. Dribusch	0.4	\$425.00	\$170.00
69 01/05/2024	Attorney Note: Prepare for and attend Court hearing on Prime Capital Ventures (01/05/2024)	Christian H. Dribusch	2.2	\$425.00	\$935.00
70 01/05/2024	Attorney Note: Legal analysis of Bankruptcy Rules and Supreme Court decision pertaining to prudential standing of management (e.g., pecuniary interest) upon appointment of interim trustee. (01/05/2024)	Christian H. Dribusch	1.2	\$425.00	\$510.00
71 01/05/2024	Attorney Note: Legal research and outline interim trustee legal issues pertaining to involuntary petition of Prime Capital Ventures (e.g., who has legal authority to prosecute and to whom fiduciary duties run). (01/05/2024)	Christian H. Dribusch	2	\$425.00	\$850.00
72 01/05/2024	Attorney Note: Prepare for and attend Court hearing (01/05/2024)	Christian H. Dribusch	2.2	\$425.00	\$935.00
73 01/06/2024	Attorney Note: Legal due diligence on implications of post-petition deposit of funds in Prime Capital Venture account and Prime Capital Venture transfer of funds to Prime Capital Lending account. Automatic stay (Code 362) /post-petition transfer (Code 549) / Court Order (Code 105) (01/06/2024)	Christian H. Dribusch	1.5	\$425.00	\$637.50
74 01/07/2024	Attorney Note: Review motion and draft affidavit for AUST draft motion for contempt on failure to provide access to books, records, and office for Prime Capital Ventures (01/07/2024)	Christian H. Dribusch	2.2	\$425.00	\$935.00
75 01/07/2024	Attorney Note: Follow up with attorneys for parties regarding status of line of credit closings and sources of funding for future transactions. (01/07/2024)	Christian H. Dribusch	0.4	\$425.00	\$170.00

BILLABLE ITEMS

	Date	Item Details	Performed By	Qty.	Rate	Amount
76	01/08/2024	Parking		1	\$3.55	\$3.55
		Attorney Note: Communications with parties in interest regarding motion to				
77	01/08/2024	dismiss and legal authority for parties blocking continuing due diligence or otherwise complying with Bankruptcy Court Orders. (01/08/2024)	Christian H. Dribusch	1.8	\$425.00	\$765.00
		Attorney Note: Receipt and review papers on Bond application. Receipt and review of Prime motion to dismiss involuntary proceeding; Receipt and review of petitioning creditors motion to dismiss involuntary proceeding. (01/08/2024)				
78	01/08/2024		Christian H. Dribusch	4.4	\$425.00	\$1,870.00
79	01/09/2024	Parking		1	\$1.35	\$1.35
80	01/09/2024	Parking		1	\$2.00	\$2.00
81	01/09/2024	Attorney Note: Reviewing proposed Order on dismissal and provide comments (01/09/2024)	Christian H. Dribusch	0.4	\$425.00	\$170.00
82	01/09/2024	Attorney Note: Court appearance on competing motions to dismiss involuntary petition. Motion on Bond requirement (01/09/2024)	Christian H. Dribusch	1.8	\$425.00	\$765.00
83	01/09/2024	Attorney Note: Prepare for and attend second Court hearing to discuss Order on motion to dismiss involuntary case and retention of jurisdiction (01/09/2024)	Christian H. Dribusch	1.5	\$425.00	\$637.50
84	01/10/2024	Attorney Note: Draft attorney fee application with anticipated Court appearances. (01/10/2024)	Christian H. Dribusch	4	\$425.00	\$1,700.00

Notes:

Subject to Bankruptcy Court Approval

Exhibit A to Counsel for Interim Trustee Application for Compensation

INVOICE TOTAL \$39,591.38

PAYMENTS

Date	Received By	Pay Method	Ref. Number	Amount
<i>No payments received</i>				
TOTAL PAYMENTS				\$0.00

REMAINING BALANCE: \$39,591.38

EXHIBIT A TO FINAL FEE APPLICATION OF COUNSEL TO INTERIM CHAPTER 7
TRUSTEE IN THE PRIME CAPITAL VENTURES, LLC INVOLUNTARY BANKRUPTCY
PROCEEDING (CASE NUMBER 23-11302)